

STATE REPRESENTATIVE
27th DISTRICT
DENNIS FLANNIGAN

April 23, 2007

State of
Washington
House of
Representatives

CAPITAL BUDGET
JUDICIARY
TRANSPORTATION



The Honorable Kevin Martin, Chairman
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554

Re: Emergency Petition for Waiver of 47 C.F.R. § 76.1204(a)(1) of the City of Tacoma, d/b/a Click!
Network

Dear Chairman Martin:

I am writing in support of Click! Network/Tacoma Power's waiver request so they may continue deploying low-cost digital set-top boxes after July 1, 2007, in order to meet the demands of their customers, my constituents.

It is in the best interest of the citizens of Tacoma to have low-cost options to help make the transition from analog television to digital as smooth as possible without rendering analog TVs useless. Many of Tacoma's residents have more than one television in their homes and many sets can only receive analog signals. I understand from staff that Click! has been deploying a low-cost (\$79 each) digital set-top box (Motorola DCT 700s) which Click! charges its customers \$1.50 per month. This low-cost option helps customers with multiple TVs to receive digital signals on as many sets as they can afford to connect. Please let Click! continue that practice.

I understand that in 1998 the FCC promulgated rules under Section 629 of the Telecommunications Act of 1996 requiring the Commission to promote the availability of third-party set-top boxes and other consumer equipment for use in cable systems. In promulgating these rules, the FCC ruled that cable operators could no longer deploy new digital set-top boxes without CableCARDs after July 1, 2007. Unfortunately, CableCARD-compatible set-top boxes are expensive, outdated and do not provide popular two-way services (i.e. electronic guide, video-on-demand, HDTV, DVR, etc.) customers demand. Without the waiver, Click! would have to pay \$229 each for a CableCARD-compatible box and would have to charge customers more per month for each digital set-top box to meet its return on investment. Rather than force residents to fill-up landfills with outdated television sets, let's help cable operators who want to offer a low-cost option to make analog TVs function into the future.

There has been extensive government and media focus on cable rate increases over the years. Click! has only raised rates twice in ten years of operation while providing a competitive alternative in the marketplace. Tacoma consumers have benefited from the choices in our marketplace. I trust you'll do the right thing by assisting this small municipal cable operator in keeping their rates low.

Please consider granting Click! a waiver, so they can continue deploying digital services with their current budgeted low-cost boxes so they can avoid deploying a more expensive digital receiver that is only an interim solution.

Or at a minimum, please consider deferring the digital set-top box integration ban until manufacturers can supply all cable companies with technology that will allow a transition into digital at reasonable rates.

Sincerely,

A handwritten signature in dark ink, appearing to read "Dennis Flannigan", with a stylized flourish at the end.

Representative Dennis Flannigan
27th District

A handwritten note in dark ink that reads "PS Please help Click!" followed by a large, stylized checkmark or flourish.

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